

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

Crl.M. No.15249-M of 2007

Date of Decision: 29.3.2007

Urmila Devi

....Petitioner.

Versus

State of Punjab.

...Respondent.

Present:- Mr.N.S.Sodhi,Advocate
for the petitioner.

S.S.SARON, J.(ORAL)

This petition has been filed seeking quashing of FIR No.86 dated 25.11.2005 (Annexure P-1) registered at Police Station Ferozpur Cantt., for the offence under Section 419,420,465,467,471,120-B IPC.

During the course of hearing it is not disputed by learned counsel for the petitioner that the charge report (challan) in terms of section 173 Cr.P.C. has been filed by the police. In the circumstances the grounds taken in the present petition for seeking quashing of the FIR can be taken before the trial Magistrate while considering the framing of charges against the petitioner. It is well known that the trial Magistrate can sift and weigh the evidence for the limited purpose of framing charges. It does not act merely as a mouth piece or post office of the prosecution and, therefore, the petitioner has an alternate remedy where the contentions as raised herein can be raised.

In the circumstances, the present petition is pre-mature and is accordingly disposed of as such.

March 29,2007
Reema

(S.S.SARON)
JUDGE